



**MINUTES
STATE BOARD OF VETERINARY MEDICINE
November 29, 2012**

Notice of this meeting was posted in the reception area at 1560 Broadway, Ste. 1350, Denver, CO 80202, at least 14 days in advance of the meeting date.

LOCATION: CIVIC CENTER PLAZA
1560 BROADWAY
CONFERENCE ROOM 110 D
DENVER, CO 80202

MEMBERS PRESENT: RICHARD LEONE, DVM, PRESIDENT; JONI EDWARDS, DVM, VICE-PRESIDENT; KIM STONE, DVM, SECRETARY; KENNETH JOHNSON, DVM; KRISTIN WOESTEHOF, DVM; SUSIE FREDERICK, RN, PUBLIC MEMBER; AND NANCY STRELAU, PUBLIC MEMBER

MEMBERS ABSENT: NONE

PRESIDING: RICHARD LEONE, DVM, PRESIDENT

LEGAL COUNSEL: CATHERINE SHEA, ASSISTANT ATTORNEY GENERAL

DIVISION STAFF: MAULID MISKELL, PROGRAM DIRECTOR; MELISSA GARNER, OFFICE OF EXPEDITED SETTLEMENT; LEANNE DUFFY, PROGRAM MANAGER; AND VAÑA MONTGOMERY, PROGRAM SUPPORT ASSISTANT, AND LES ROBERTS, INVESTIGATOR

I. CONVENE

Richard Leone, DVM, President, called the meeting to order at 8:41 a.m.

II. APPROVAL OF MINUTES

October 11, 2012 Minutes

A motion was made, seconded and carried to **approve** as drafted the October 11, 2012, Board Meeting Minutes.

III. REPORTS

- Report from the Program Director, Maulid Miskell.

Mr. Miskell thanked the Board for accommodating his request to move the November meeting up a week.

Mr. Miskell informed the Board that we are still behind on processing new complaints, but gaining on the backlog; this may mean a large agenda in February.

Mr. Miskell informed the Board that the agenda for the February 7, 2013 meeting will go out to the Board members three weekends prior to the meeting.

Mr. Miskell noted that in February 2013 the Board has a regular board meeting on February 7th and will meet again on February 8th in order to consider committee recommendations concerning dentistry. If the agenda is too large, the Board may meet continue the regular board meeting on 8th to complete the agenda.

Mr. Miskell provided a status update regarding the Large and Small Animal Dentistry Committees, noting that the Committees are preparing recommendations to be reviewed by the Board.

- Report from Richard Leone, DVM, President

Dr. Leone explained the meeting process to the public who were in attendance. He informed those in attendance that there is to be no discussion or input from the public during deliberations of cases, since all relevant information had been received in writing and reviewed ahead of time and reminded Board Members of the confidential nature of letters of concern.

- Report from Joni Edwards, DVM, Vice-President

Dr. Edwards provided a report regarding her attendance in November at the Colorado Veterinary Medical Association “Big Ideas Forum” in Colorado Springs, Colorado, and her presentation at the forum.

IV. MISCELLANEOUS

- OLS Guidelines for Handling Veterinary “Yes” Applications

Board reviewed and recommended removing acronyms, and to continue processing applications in compliance with these guidelines.

- Board Member Presentation at Colorado State University

Dr. Leone, Dr. Stone, Dr. Edwards, and Mr. Miskell agreed to give the presentation at Colorado State University from 2 – 2:50 pm on Tuesday, May 7, 2013. Dr. Woestehoff also may participate, and Ms. Strelau will observe the presentation. The Board will review a draft presentation at the April 4, 2013 meeting.

V. PROFESSIONAL ASSOCIATIONS

- American Association of Veterinary State Boards – August 2012
 - Bylaws Amendments

The Board will review the Bylaws Amendments at the February 7, 2013 meeting and provide the American Association of Veterinary State Boards with any proposed changes by the February 22, 2013 deadline.

VI. CONTINUING EDUCATION

- Continuing Education – Kim Stone, DVM, Secretary

Dr. Woestehoff **recused** herself, exited the room, and did not participate in the discussion or the vote on request #4.

The requests were reviewed in advance by Dr. Stone. A motion was made, seconded, and carried to **approve** all continuing education requests as submitted with the exception of requests # 1, 2, 4, 35, and 36. Requests #1 and #2 were **denied**; #2 may be re-submitted with additional information. Request #4 was approved for 17.75 hours, but it was noted that only 6 hours may be used toward Colorado’s continuing education renewal requirements. Requests #35 and 36 were approved for 5 hours.

VII. OPEN FORUM

No comments.

VIII. LICENSING

- Approval of Consent Items **
 - Memorandum regarding newly licensed Veterinarians

A motion was made, seconded, and carried to **approve** the consent items.

Yes Applications

Examination application of Zamantha Marshall, DVM

After careful consideration of the provided information a motion was made, seconded, and carried to **grant** licensure.

Endorsement application of Elizabeth Arthur, DVM

After careful consideration of the information provided, a motion was made, seconded, and carried to refer this application to Executive Session in order to discuss confidential information.

Upon returning to Open Session, a motion was made, seconded, and carried to **grant** licensure.

Endorsement application of Thomas Scott, DVM

After careful consideration of the provided information a motion was made, seconded, and carried to **grant** licensure.

IX. INITIAL REVIEW

Kaveh Sarhangpour, DVM Case # 2012-6177

Dr. Johnson **recused** himself, exited the room, and did not participate in the discussion or the vote on this matter.

After careful consideration of the information provided, a motion was made, seconded, and carried to **dismiss** the case as being without merit.

Debra St. Louis, DVM Case # 2012-5243

Dr. Woestehoff **recused** herself, exited the room, and did not participate in the discussion or the vote on this matter.

After careful consideration of the information provided, a motion was made, seconded, and carried to **dismiss** the case as being without merit.

Kimberly Anderson, DVM Case # 2012-6189

After careful consideration of the information provided, a motion was made, seconded, and carried to **refer** to Executive Session to discuss potential discipline.

Jacquelyn Campbell, DVM Case Consideration

A motion was made, seconded, and carried to **initiate** case # 2012-6646 based upon the information received.

Mark E. Anderson, DVM Case Consideration

A motion was made, seconded, and carried to take **no action**.

Mark Kombert, DVM Case Consideration

After careful consideration of the information provided, a motion was made, seconded, and carried to **refer** to Executive Session to discuss confidential information and potential discipline.

X. OFFICE OF INVESTIGATIONS

Brandy Burgess, DVM Case # 2012-824

Board counsel discussed potential conflicts of interest with the Board members. Board members stated that they could view this matter fairly and impartially.

After careful consideration of the information provided, a motion was made, seconded, and carried to **dismiss** the case as being without merit.

XI. BOARD RATIFICATIONS

- Referral to Office of Investigations
 - Related Cases:
 - Cindy Pickens, Case # 2012-6147
 - Susan Lawson-Grimes, Case # 2012-6146
 - Allison Keane, Case # 2012-6145
 - Margaret Garcia, Case # 2012-6141
 - Jordan McGarvey, Case # 2012-6142
 - Shannon Haynes, Case # 2012-6144
 - John Marcella, Case # 2012-6143
 - Ashley Lussier, Case # 2012-6154
 - Cherlyn Sepsey, Case # 2012-6156
 - Cherlyn Sepsey, Case # 2012-6148
 - Joe Noe, Case # 2012-6139
 - Megan Giles, Case # 2012-6137
 - Dan Giles, Case # 2012-6138
 - Casey Fernau, Case # 2012-6135

After careful consideration of the information provided, a motion was made, seconded, and carried to **ratify** the referrals to the Office of Investigations.

XII. STIPULATIONS

- Open Stipulations Report

Board noted.

Rick Heller, DVM Case #2011-2646
Request for Termination of Stipulated LOA

After careful consideration of the information provided, a motion was made, seconded, and carried to **grant** termination of probation and closure of the disciplinary case effective November 29, 2012.

XIII. ADJOURNMENT FROM OPEN SESSION

Richard Leone, DVM, Board President, called for a motion at 10:59 a.m., that the State Board of Veterinary Medicine enter into Executive Session for the purpose of discussing with counsel disputes that are the subject of pending or imminent court action, discussing specific claims or grievances, and receiving legal advice on specific legal questions, pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II), including:

- The legal basis for potential disciplinary action, and, where warranted, recommended settlement guidance for matters discussed in open session today and referred to executive session, specifically agenda items:
 - Case 2012-6189, Kimberly Anderson, DVM
 - Case 2012-6603, Mark Kombert, DVM;
- The following specific claims or grievances, or matters regarding legal advice on specific legal questions, including review and discussion of attorney-client memo regarding legal and ethical concerns for Board Members;

and matters required to be kept confidential by federal law or rules or state statutes pursuant to 24-6-402(3)(a)(III). The topic and particular federal law or rule or state statute requiring this discussion to be kept confidential is as follows:

- Drug and alcohol treatment records of a Licensee whose identity and treatment information is confidential pursuant to 42 Code of Federal Regulations Part 2, Colorado Revised Statutes, Title 25, Article 1, Part 12 and 13-90-107(1)(g), for:
 - Applicant E.A.
 - Licensee M.K.

XIV. ADJOURNMENT FROM EXECUTIVE SESSION

Executive Session for the State Board of Veterinary Medicine adjourned at 12:03 p.m.

XV. ADJOURNMENT FROM OPEN SESSION

The final meeting adjournment was at 12:06 p.m.

Attestation:

Pursuant to section 24-6-402(2)(d.5)(I)(B), C.R.S., as Board President, I attest that the Executive Session of the State Board of Veterinary Medicine meeting held on November 29, 2012, was confined to the topics authorized for discussion pursuant to sections 24-6-402(3)(a)(II), (III), and (IV), C.R.S.

**Theses minutes were approved by the State Board of Veterinary Medicine on
February 7, 2013**

Approved by: Richard Leone, DVM, Board President